

## **REMARKS**

Claims 1-17 were pending in this application. Claims 1-17 stand rejected. Claims 14 and 16 were cancelled. Claims 1 and 17 were amended. Claims 18-21 were added. Claims 1-13, 15, and 17-21 remain in the application.

Claims 1-2, 4-7, 9, and 16 stand rejected under 35 U.S.C. 102(b) as being anticipated by Diepstraten (U.S. Patent No. 5,602,896). Claims 3, 8, 10, 13-15, and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Diepstraten. Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Diepstraten in view of Hirai et al. (U.S. Patent No. 6,603,928).

Claim 1 has been amended to state:

1. A method for producing a composite digital image, comprising the steps of:
  - providing a plurality of partially overlapping source digital images having pixel values that are linearly or logarithmically related to scene intensity;
  - determining the focal length of the source digital images by analyzing the exposure falloff in at least one overlapping region of said source digital images;
  - computing from the determined focal length, a radial exposure transform to compensate for exposure fall off as a function of the distance of a pixel from the center of the digital image;
  - modifying the source digital images by applying the radial exposure transform to one or more of the source digital images to produce adjusted source digital images; and
  - combining the adjusted source digital images to form a composite digital image.

Amended Claim 1 is supported by the application as filed, notably, the original claims and at page 8, lines 18-20 (also see generally page 8, line 7 to page 9, line 25).

Claim 1 requires determining the focal length of the source digital images by analyzing the exposure falloff in at least one overlapping region of said source digital images. The cited references do not disclose this feature. The office action supports this in a statement, in relation to Claim 14:

"Therefore, it can be seen that the Diepstraten reference fails to disclose that the radial exposure transform is not {sic} calculated using the focal length of the lens used to capture each image."

The office action further stated:

"Official notice is taken that the concepts and advantages of using the focal length to calculate the radial exposure transform are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Diepstraten device to include the use of the focal length to calculate the radial transform in order to compensate for falloff caused by the lens system."

This official notice does not relate to a step of determining focal length, but rather to a different step, computing the radial exposure transform from the determined focal length.

Claims 2-13, 15, and 17-18 are allowable as depending from Claim 1 and as follows.

Claim 17 was amended to recite standard language: computer readable storage medium having a computer program stored thereon.

Claim 18 requires that the determining of the focal length comprises identifying the root of a particular function. This is not disclosed by the references. Claim 18 is supported by the application as filed in the same manner as Claim 1.

Claim 19 is supported and allowable on the same basis as Claim 1. Claims 20-21 are allowable as depending from Claim 19 and as follows. Claim 20 is supported by the language of Claim 2. Claim 21 is supported and allowable on the same basis as Claim 18.

It is believed that these changes now make the claims clear and definite and, if there are any problems with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert Luke Walker", written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.